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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,919	03/26/2007	Phillip William Richardson	020305-004008	6031

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IP PROSECUTION DEPARTMENT
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EXAMINER

BEAUCHAINE, MARK J

ART UNIT	PAPER NUMBER
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3653

MAIL DATE	DELIVERY MODE
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09/22/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/560,919	Applicant(s) RICHARDSON ET AL.	
	Examiner MARK J. BEAUCHAINE	Art Unit 3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/16/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

The specification is objected to as failing to comply with 37 CFR 1.78 and MPEP 201.11 stating that the specification should include a statement describing cross-references to related applications.

Appropriate correction is required.

Claim Objections

Claims 1-15 are objected to because of the following informalities:

Claims 1, 12 and 15 fail to comply with 37 CFR 1.75(i) which state in part that “[w]here a claim sets forth a plurality of elements or steps, each element or step should be separated by a line indentation.” Said claims fail to provide separate claim elements as being separated by line indentations.

The term “moved to from” (claim 1, line 6; claim 12, line 6; and claim 15, line 6) is improper grammar.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Patent Number 5,931,731 by Chwalisz ("Chwalisz"). The coin dispensing apparatus disclosed by Chwalisz comprises coin source/hopper 52, rotary member 58 having a plurality of coin receiving receptacles to move coins about an annular path(see Figure 2), a motor to rotate the rotary member (see column 4, lines 49-52), coin outlet 56, and movable ejector 132 that has a first engaging member and is movable from an engaging position to a discharge position to eject a coin and back to the engaging position (see analogous operation of ejector 32 at column 1, lines 50-65). Said ejector device is operable via drive means 138 and causes counting means 100 to count ejected coins by detecting radiation signals between optical emitter 146 and detector 148 being interrupted by turning arm 34.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-9, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chwalisz as applied to claim 1 above, and further in view of Patent Number US 6,685,552 B2 by Nomura ("Nomura"). Chwalisz fails to disclose a second engaging

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member configuration. Nomura teaches a coin dispensing apparatus having an ejector device comprising first and second coin engaging/slider members 52 (see Figures 1-3) for the purpose of enhancing the contact area between the ejector surface area and a coin edge. Nomura further teaches said engaging members as being mounted either for movement in unison or independently (see column 5, lines 1-11). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the first and second engaging member configuration of Nomura into the apparatus of Chwalisz for the purpose of enhancing the contact area between the ejector surface and a coin edge.

Claims 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chwalisz in view of Nomura. The coin dispensing apparatus disclosed by Chwalisz comprises coin source/hopper 52, rotary member 58 having a plurality of coin receiving receptacles to move coins about an annular path(see Figure 2), a motor to rotate the rotary member (see column 4, lines 49-52), coin outlet 56, and movable ejector 132 that has a first engaging member and is movable from an engaging position to a discharge position to eject a coin and back to the engaging position (see analogous operation of ejector 32 at column 1, lines 50-65). Said ejector device is operable via drive means 138 and causes counting means 100 to count ejected coins by detecting radiation signals between optical emitter 146 and detector 148 being interrupted by turning arm 34.

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Chwalisz fails to disclose a second engaging/slider member configuration.

Nomura teaches a coin dispensing apparatus having an ejector device comprising first and second coin engaging/slider members 52 (see Figures 1-3) for the purpose of enhancing the contact area between the ejector surface area and a coin edge. Nomura further teaches said engaging members as being mounted either for movement in unison or independently (see column 5, lines 1-11). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the first and second engaging member configuration of Nomura into the apparatus of Chwalisz for the purpose of enhancing the contact area between the ejector surface and a coin edge.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK J. BEAUCHAINE whose telephone number is (571)272-6934. The examiner can normally be reached on 8:00AM through 5:00PM Mondays through Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick H. Mackey can be reached on (571)272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrick H. Mackey/
Supervisory Patent Examiner, Art
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mjb